

SENATE BILL REPORT

HB 1158

As Reported by Senate Committee On:
Judiciary, March 24, 2009

Title: An act relating to electronic signatures for juror questionnaires.

Brief Description: Allowing electronic signatures on juror questionnaires.

Sponsors: Representatives Goodman, Rodne, Pedersen, Warnick and Klippert; by request of Board For Judicial Administration.

Brief History: Passed House: 2/23/09, 96-0.

Committee Activity: Judiciary: 3/20/09, 3/24/09 [DPA].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass as amended.

Signed by Senators Kline, Chair; Regala, Vice Chair; McCaslin, Ranking Minority Member; Carrell, Hargrove, Kohl-Welles and Tom.

Staff: Juliana Roe (786-7438)

Background: Jurors in Washington State are selected at random from voter registration, driver's license, and identicard records. The courts are required to determine, by written declaration, whether a person summoned for jury duty is eligible to serve on a jury. Written declarations are completed by all potential jurors prior to their appearance in court. These declarations must be signed under penalty of perjury by the summoned person declaring that person's eligibility. To be eligible for jury service, a person must be at least 18 years of age; a citizen of the United States; a resident of the county in which the person has been summoned to serve; and able to communicate in English. The person must also have his or her civil rights restored if convicted of a felony.

Summary of Bill (Recommended Amendments): Courts are permitted to establish a means by which a person summoned for jury duty may electronically declare that he or she is eligible to serve on a jury. Electronic signatures can be used as an alternative to written signatures and are done under penalty of perjury. An electronic signature is an electronic sound, symbol, or process attached to or logically associated with a document and executed or adopted by a person with the intent to sign a document.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

EFFECT OF CHANGES MADE BY JUDICIARY COMMITTEE (Recommended Amendments): Changes the title of the bill to reflect that electronic signatures may be used for juror declarations, not juror questionnaires.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: This bill is an attempt to enlarge and diversify the jury pool. Only 26 percent of the people summoned for jury actually respond. It is necessary to bring this process into the twenty-first century. This law is modeled after the Uniform Real Property Recording Act. It is not a requirement.

Persons Testifying: PRO: Representative Goodman, prime sponsor; Mellani McAleenan, Board for Judicial Administration.